

In the Matter of: Steven Vasquez
Kathryn Bobot

Chapter 13
Case No. 10-38674-SVK

Debtors.

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Steven Vasquez and Kathryn Bobot have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court
517 E. Wisconsin Avenue
Room 126
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Bruce A. Lanser
Lanser Law Office
Suite 201
N14 W24200 Tower Place
Waukesha, WI 53188
Phone No. 262.522.2280
FAX No. 262.522.2289
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You must also mail a copy to:

Bruce A. Lanser
Lanser Law Office
Suite 201
N14 W24200 Tower Place
Waukesha, WI 53188

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:

 X the Debtor;

___ the Chapter 13 Trustee (post-confirmation modifications only);

___ the holder of an unsecured claim (Name:_____) (post-confirmation modifications only).

2. This is a request to modify a Chapter 13 Plan (Select A. or B.):

A. ___ post-confirmation;

B. X pre-confirmation (Select i. or ii.);

i. X Debtors' attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or

ii. ___ Debtors(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are: (List creditors)

3. The Proponent wishes to modify the Chapter 13 Plan to do the following:

Eliminate attorneys' fees that were to be paid through the plan, and to increase plan payments to provide increased distribution to unsecured creditors.

4. The reasons for the modification are:

The attorneys' fee decrease is done to comply with current local rules. The increase in plan payments and distribution to unsecured creditors is being made to meet the disposable income requirements of the above-median debtors following adjustments to Form B22C.

5. Select A. or B.

A. ___ The Chapter 13 Plan confirmed or last modified on ____ (date) is modified as follows: (State the specific language of the modification.)

B. X The unconfirmed Chapter 13 Plan dated November 23, 2010 is modified as follows:

- 1) **Plan Payments and Length of Plan:** Debtors shall pay the total amount of **\$91,860.00** by paying **\$1,531.00** per month to Trustee.
- 2) **Debtors' Attorney's Fees.** The total attorney's fee as of the date of the filing the petition is **\$3,000**. The amount of \$3,000 was paid prior to the filing of the case. The balance of **\$0** will be paid through the plan.
- 3) **Unsecured Claims.** Trustee will pay to creditors with allowed general unsecured claims a pro rata share of **\$72,725.00** or **61%**, whichever is greater.

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated January 7, 2011 at Waukesha, WI.

LANSER LAW OFFICE
Attorneys for Steven Vasquez
and Kathryn Bobot

By: /s/ Bruce A. Lanser
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Bar No. 1003952

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